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ATTORNEYS FOR FIRST BANK OF WYOMING

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF WYOMING

In re:	)	
	)	
POWELL VALLEY HEALTH CARE, INC.	)	Case No. 16-20326
	)	Chapter 11
Debtor-in-Possession.	)	_

## LIMITED OBJECTION TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' APPLICATION FOR AN ORDER AUTHORIZING THE RETENTION OF EISNERAMPER LLP AS ACCOUNTANT AND FINANCIAL ADVISOR

First Bank of Wyoming ("First Bank"), by and through undersigned counsel, hereby objects to the *Application for Order Authorizing Retention of EisnerAmper LLP as Accountant and Financial Advisor to the Official Committee of Unsecured Creditors*, filed with this Court October 24, 2016 (docket entry 349) (the "Application"). In support of this objection, First Bank respectfully submits:

1. First Bank's consent would be needed in order for payment of EisnerAmper's fees. Nobody has contacted First Bank about the potential application of EisnerAmper. EisnerAmper's fees would presumably be paid by the Debtor, which would entail a use of First Bank's cash collateral (see D.E. 324). Though the Debtor currently has First Bank's consent to use the cash collateral (which will soon expire), that consent is tied to a specific budget. That budget does not include fees for a second financial advisor.

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2. First Bank has no interest in blocking any party or professional from doing its job. However, it has significant concerns that this case could ultimately fail because of the financial burdens of keeping it alive. These concerns are very real when considering the hundreds of thousands of dollars already spent on professional fees in this case by a debtor with very finite resources. With each passing week, these concerns intensify.

3. The minutiae of whether a second financial advisor is needed or appropriate have been briefed by the other parties. First Bank only offers that, given the Debtor's limited financial resources, appointment of EisnerAmper seems ill-advised without a showing that EisnerAmper will be doing work the Debtor's financial advisor, Hammond Hanlon Camp, LLC ("H2C"), cannot or will not do and that is essential for administration of this case.

WHEREFORE, First Bank of Wyoming requests that this Court deny the Application absent approval by it to a revised budget.

**DATED** this 16th day of November, 2016.

By: /s/ Timothy L. Woznick

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing was served upon the following via the indicated method of service this 16th day of November, 2016.

Debtor c/o Bradley T. Hunsicker Markus Williams Young & Zimmermann LLC 106 East Lincolnway Suite 300 Cheyenne, WY 82001	[ ] U.S. Mail [x] Email via CM/ECF
<u>United States Trustee</u> Office of United States Trustee 308 West 21 <sup>st</sup> Street 2 <sup>nd</sup> Floor Cheyenne WY 82001	[ ] U.S. Mail [x] Email via CM/ECF
Unsecured Creditors' Committee c/o Jamie N. Cotter Spencer Fane LLP 1700 Lincoln Street, Suite 2000 Denver, Colorado 80203	[ ] U.S. Mail [x] Email via CM/ECF
Powell Hospital District c/o Chad S. Caby LEWIS ROCA ROTHGERBER CHRISTIE LLP 1200 17th Street, Suite 3000 Denver, CO 80202-5855	[ ] U.S. Mail [x] Email via CM/ECF

of Dray, Dyekman, Reed & Healey, P.C.

/s/ Timothy L. Woznick